

## Introduced by Senator Ducheny

February 24, 2006

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An act to amend Sections 33370, 33380, and 33381 of, to repeal Section 33383 of, and to repeal and add Sections 33382 and 62000.14 of, the Education Code, relating to pupils.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1646, as introduced, Ducheny. Pupils: California Indian education centers.

Existing law establishes, until January 1, 2007, California Indian education centers to serve as educational resource centers in American Indian communities to American Indian pupils, parents, and the public schools.

This bill would extend the repeal date to January 1, 2014, and would substantially revise the California Indian education center program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 33370 of the Education Code is  
2     amended to read:  
3     33370. (a) There is hereby ~~created~~ *established* within the  
4     ~~State Department of Education~~ *department* an American Indian  
5     Education Unit, which shall provide administrative oversight of  
6     American Indian education programs established by the state,  
7     *including, but not limited to, the California Indian education*  
8     *center program established under Article 6 (commencing with*  
9     *Section 33380),* and shall study and identify the cultural and  
10    educational disadvantages affecting American Indian children in

1 the ~~present existing~~ public school system. *The department may*  
2 *establish the American Indian Education Unit within an existing*  
3 *unit of the department.*

4 (b) ~~The Superintendent of Public Instruction shall appoint an~~  
5 ~~American Indian Education Unit Coordinator who shall be~~  
6 ~~responsible for staff to the American Indian Education Unit.~~

7 (c) *From the total amount of funds appropriated to the*  
8 *department for the purposes of Article 6 (commencing with*  
9 *Section 33380), the department shall allocate not more than 12.5*  
10 *percent to cover the American Indian Education Unit's*  
11 *administrative costs, including, but not limited to, the costs of*  
12 *staffing the unit, compiling and submitting the reports required*  
13 *under Section 62000.14, and awarding and monitoring the*  
14 *California Indian education center grants made under that*  
15 *article.*

16 SEC. 2. Section 33380 of the Education Code is amended to  
17 read:

18 33380. (a) The Legislature hereby finds and declares that  
19 Indian children have not succeeded well in California public  
20 schools as evidenced by low academic achievement at all grade  
21 levels, high dropout rates and by the few ~~students~~ *pupils*  
22 continuing their education beyond high school.

23 ~~It~~  
24 (b) ~~It is the intent and purpose of the Legislature to strengthen~~  
25 ~~the instructional program within the public schools increase the~~  
26 ~~academic achievement of California Indian pupils by~~  
27 ~~establishing California Indian education centers.~~

28 SEC. 3. Section 33381 of the Education Code is amended to  
29 read:

30 33381. The California Indian education centers established  
31 pursuant to this article shall serve as educational resource centers  
32 in American Indian communities to ~~the~~ American Indian pupils,  
33 parents, and the public schools. The centers shall be designed to:

34 (a) Improve the academic achievement of American Indian  
35 pupils *in kindergarten and grades 1 to 12, inclusive*, with  
36 particular emphasis on reading and mathematics.

37 (b) Improve the self-concept of American Indian pupils and  
38 adults.

39 ~~(e) Increase the employment of American Indian adults.~~

40 (c) *Act as pupil advocates.*

1 (d) *Provide coordinated programs with the public schools.*

2 (e) *Provide a focus for summer academic experiences.*

3 ~~(d)~~

4 (f) *Serve as a center for related community activities.*

5 ~~(e) Provide tutorial assistance to pupils in reading and~~  
6 ~~mathematics.~~

7 ~~(f)~~

8 ~~(g) Provide individual and group academic counseling to~~  
9 ~~pupils and adults related to personal adjustment, academic~~  
10 ~~progress, and vocational planning.~~

11 ~~(g) Provide coordinated programs with the public schools.~~

12 ~~(h) Provide a neutral location for parent-teacher conferences.~~

13 ~~(i) Provide a focus for summer recreational sports and~~  
14 ~~academic experience.~~

15 ~~(j) Provide adult classes and activities.~~

16 ~~(k) Provide college-related training programs for prospective~~  
17 ~~American Indian teachers.~~

18 ~~(l) Provide libraries and other related educational material.~~

19 SEC. 4. Section 33382 of the Education Code is repealed.

20 ~~33382. The State Board of Education, upon the advice and~~  
21 ~~recommendations of the Superintendent of Public Instruction,~~  
22 ~~shall adopt guidelines for the selection and administration of the~~  
23 ~~California Indian education centers.~~

24 SEC. 5. Section 33382 is added to the Education Code, to  
25 read:

26 33382. The Superintendent, with the approval of the state  
27 board, shall award competitive grants to eligible tribal groups or  
28 incorporated California Indian education associations, either  
29 separately or jointly, using application forms developed by the  
30 department. An applicant who is operating an education center  
31 pursuant to funds made available in 2006 shall receive priority  
32 for funding under this section. The general requirements for  
33 selection are as follows:

34 (a) The Superintendent shall require each center to complete a  
35 needs assessment every three-year anniversary of the date on  
36 which the grant is awarded, to identify the needs of the targeted  
37 community. The needs assessment shall include, but is not  
38 limited to, a description of all of the following:

39 (1) The academic needs of the California Indian pupils whom  
40 the grant applicant proposes to serve.

1 (2) The cultural and social needs of the California Indian  
2 pupils whom the grant applicant proposes to serve.

3 (3) The strengths of existing academic programs available to  
4 the California Indian pupils whom the grant applicant proposes to  
5 serve.

6 (b) The grant application shall conform to all of the following:

7 (1) Include a program design that meets the needs identified in  
8 the needs assessment and includes measurable objectives.

9 (2) Designate adequate personnel to implement the proposed  
10 program.

11 (3) Provide reasonable certainty that the size, scope, quality,  
12 and duration of the proposed program are sufficient to obtain  
13 significant results.

14 (4) Include an evaluation process, as required under Section  
15 62000.14, that enables a determination of the extent to which  
16 program objectives are achieved.

17 (5) Include a proposed budget that is reasonable in relation to  
18 the program.

19 (6) Demonstrate the availability of facilities and other  
20 resources that are adequate to implement the program.

21 SEC. 6. Section 33383 of the Education Code is repealed.

22 ~~33383. Application for the establishment of a California~~  
23 ~~Indian education center may be made to the State Board of~~  
24 ~~Education by any tribal group or incorporated Indian association,~~  
25 ~~either separately or jointly, upon forms provided by the~~  
26 ~~Department of Education.~~

27 SEC. 7. Section 62000.14 of the Education Code is repealed.

28 ~~62000.14. (a) The California Indian Education Center~~  
29 ~~Program shall sunset on January 1, 2007.~~

30 ~~(b) (1) Each California Indian education center shall, as a~~  
31 ~~condition of receipt of annual funding, collect and report site~~  
32 ~~evaluation data that measure all of the following:~~

33 ~~(A) The number of pupils served.~~

34 ~~(B) The services provided to pupils.~~

35 ~~(C) Academic performance of pupils served.~~

36 ~~(D) The extent to which the program goals, as set forth in~~  
37 ~~Article 6 (commencing with Section 33380) of Chapter 3 of Part~~  
38 ~~20, are being met.~~

39 ~~(2) In addition, each center shall submit an evaluation of its~~  
40 ~~program to the State Department of Education on or before July~~

1 1, 2005, and shall supply whatever information is deemed  
2 necessary for the purposes of the evaluation.

3 (3) The State Department of Education shall report the  
4 consolidated results of the yearly evaluation data and self  
5 reviews, as well as recommendations for program improvement,  
6 to the Legislature on or before January 1, 2006.

7 SEC. 8. Section 62000.14 is added to the Education Code, to  
8 read:

9 62000.14. (a) The California Indian education center  
10 program shall sunset on January 1, 2014.

11 (b) As a condition of receiving funding for a fiscal year, each  
12 education center shall submit an evaluation to the department on  
13 or before August 1 of each year that measures data for all pupils  
14 served by the center, including, but not limited to, all of the  
15 following:

16 (1) The number and grade level of pupils served.

17 (2) The academic performance of pupils served.

18 (3) Academic services provided to pupils.

19 (4) Changes in school attendance.

20 (5) A report measuring the success of the overall program,  
21 including, but not limited to, all of the following:

22 (A) Success in reaching established goals, providing service  
23 delivery, and providing program administration.

24 (B) The extent to which the program objectives included in the  
25 grant application have been attempted or achieved, or both  
26 attempted and achieved.

27 (6) Any additional information deemed necessary by the  
28 department.

29 (c) As a condition of receiving funding for a fiscal year, each  
30 center shall submit to the department, on or before January 1 of  
31 each year, an annual audit of expenditures. The department may  
32 grant a waiver of the January 1 due date if it receives a written  
33 request before that January 1 for an extension of the due date.

34 (d) On or before January 1, 2013, the department shall  
35 consolidate the information provided under this section and  
36 submit a report the Legislature, including, but not limited to,  
37 recommendations for program improvement.